Endorsement

~~D.O.~~

Memorandum

~~Lodged~~

No. 89636 P/57-2

Dated 22 2 19 52

FURTHER PAPERS.

›artment.	Number.	Series.	D

FOR MYSORE STATE

89636 P

31 DEC 1951

Copy of letter from Sri P. K. Pushparaj, B.S., B.L., Deputy Director of Resettlement and Employment and Ex-Officio Secretary, Madras State Soldiers', Sailors' and Airmen's Board, and reference Rc. 5133/51-D, dated 16-12-1951 addressed to the Secretary to Government, Revenue Deptt.

Dispossession of land - Ex-servicemen of Bellary District - Appeals submitted.

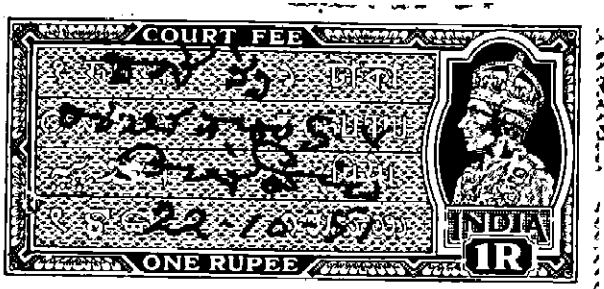
Letter No. 1331/51-B dated 24-11-1951 from the Secretary, District Soldiers', Sailors' and Airmen's Board, Bellary together with 3 appeal petitions.

I enclose 3 appeal petitions received with the reference cited above. The final orders of the Government in each case may kindly be communicated to this State Board in due course.

(TRUE COPY)

Superintendent,
Revenue Department.

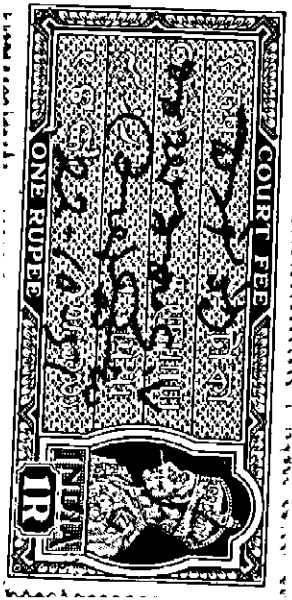
ks.31.12.



Secretary to Government
THE Revenue Department
Madras

of 195

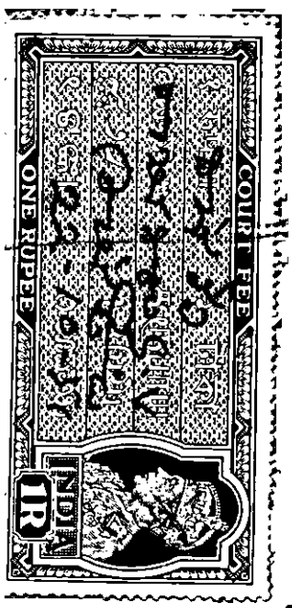
I/We Upara Manappa S/o Suvakiyappa
Ex. Military Hospet herein do hereby appoint and retain Mr. V. L. Narayana Rao, Advocate, Hospet as my or over advocate to appear on my or our behalf in the above matter, to conduct all proceedings connected with the same, to receive documents from Court, to execute any decree that may be passed in my or our favour, and to receive money or other property that may be recovered.



I/We further empower him to enter into any lawful compromise in the suit and hereby agree to confirm, ratify and abide by all acts which he or any other practitioner nominated by him in this behalf may do in the above matter.

BEFORE THE SECRETARY TO GOVERNMENT, REVENUE DEPARTMENT,

MADRAS.



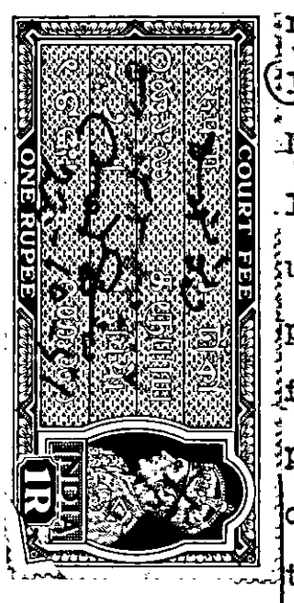
In the matter of assignment of land to a political sufferer- Petition of Uppar Mariappa of Hospet.

F/o Sivalingappa

Subject:- Assignment- land- grant to political suffer er-Hospet taluk- Bellary district- Kamala puram village- S.No. 477A/5 petition of Mar iappa of Hospet.

Ref:- B.P.Rt No. 7230 /dated 24-10-51 of the Board of Revenue, Madras.

The humble petition of Uppara Mariappa father of Uppara Si-valingappa , Exserviceman, No. 23924 R.I.N , of Hospet most



respectfully showeth:-

(1) that the petitioner's son, belonging to to Royal Indian Navy, had been granted a land S.No. 477A/5 of Kamalapur vi llage measuring 5.80 acs in extent. He brought the land under cultivation bit by bit. During Fasli 1357 , he raised paddy in 0.75 ac and Horsegram in 5.05 ac . In the other faslis due to the constant disturbance on account of the land prospective assignment proposals of the said to the politi-cal sufferer , he did not under undertake the cultivation of the whole land. The Adangal extract is filed. This shows that the petitioner had been in possession of the whole land since 1948. Even according to the Government Memoramdum No. 36739.F. /-49-1 dated 18-7-49, the petitioner could not be dispossessed as he is an exserviceman.

(2) that the contention that the political sufferer had spen material amount for the cultivation of the land is not true The portion which the petitioner had brought under cultiva-tion was used for raising only Horsegram this year. The peti-tioner is a poor landless person and dispossession works a great hardship. The undertaking said to have been given by the petitioner in favour of the political sufferer was

brought about by the Revenue Inspector who said to the petitioner that he would be allowed at least 0-80 ac if he volunteered to give up the rest of the land, otherwise the petitioner would be proceeded aggint if he persisted in utilising the whole land. The petitioner had no other go but to give the ~~xxxxxxx~~ undertaking . He thought he would be spared at least 0.80 ac in the land

4. It is necessary in the interests of justice to give five acres in S.No. 477A/5 as per the Memorandum of the Government that ex-serviceman who has been in possession after 1st. May 1948 would not be dispossessed.

5. It is therefore prayed that the Government will be pleased to take the case into merciful consideration and grant him five acres in the said S.Number.

Hospet

D/13-11-51

V Ramaswamy 13/11/51

Advocate for the petitioner.

Documents filed:-

1. Orders of the Board of Revenue, Madras.
2. Adangal Extract.
3. Vakalat.

V Ramaswamy 13/11

Advocate.

The petition is submitted through

1. The Secretary, D.S.S.A's, Board, ~~xxxxxxx~~ Bellary,
2. The Recriuiting Officer, Bangalore.
3. The Officer Commanding , Southern Command, Madras.

B.P.Rt. 7230.

Office of the Board of Revenue,
Chepauk, Madras, d/ 24--10--51.

Sri T.N.S. Raghavan, I.C.S., Commissioner for Settlement of Estates.

...

Sub: Assignment - Land - Grant to politicals sufferer - (Bellary) - Hospet taluk - Kamalapuram village - S.No. 477 A/5 - Assignment to Political sufferer - Objection petition - Rejected.

Read: From Uppara Mariappa petition d/ 12.4.51.
Board's Ref. B. 1555-51-1 dated 18--4--51.
Collector Bellary, Rc.No. 7274-51 A3 d/ 10.9.51.

...

RESOLUTION:

The Board has perused the connected records and sees no reason to interfere in the matter. The petition is rejected.

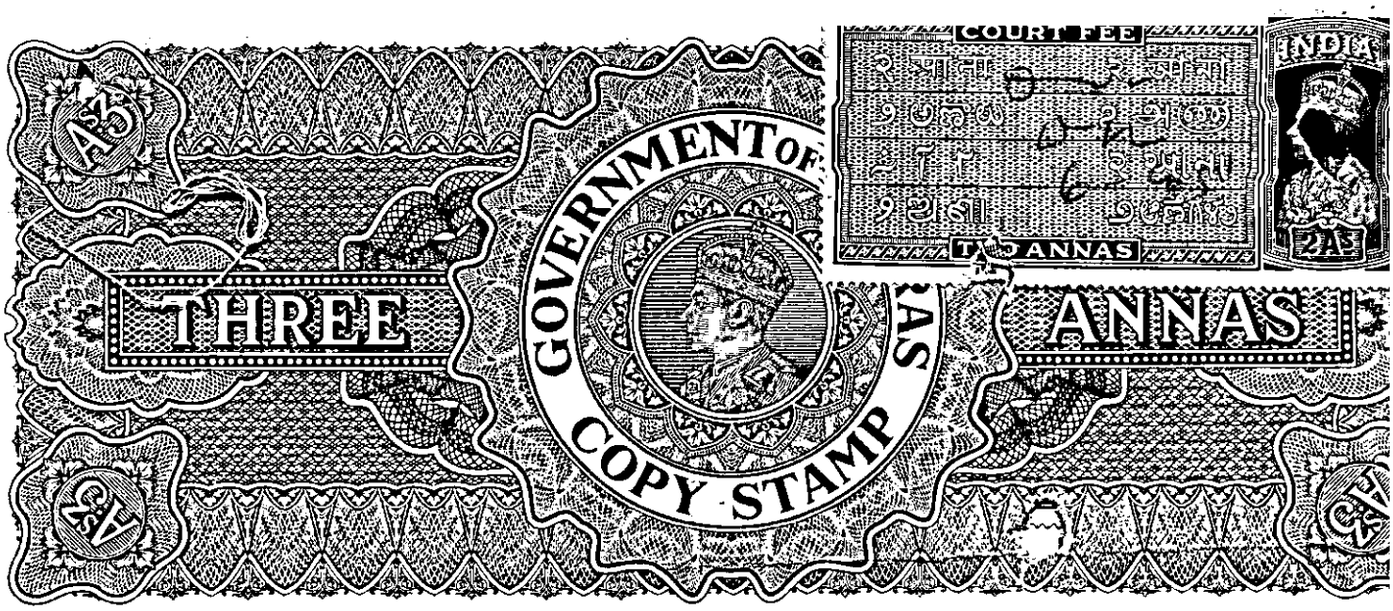
(Sd.) A. Somasundaram,
Asst. Secretary.

To Sri V.L. Narayana Rao, Hospet,
Bellary district, Advocate for the
Petitioner Uppara Mariappa.
To The Collector of Bellary.
with (1) Collector's D.Dis.5125/46 d/ 10.12.46.
(2) Extract of Adangals.
(3) L.Dis. C. 4014/49 d/ 26--1--50.

/Forwarded/By Order/

SV/26.X.

SUPERINTENDENT. 26



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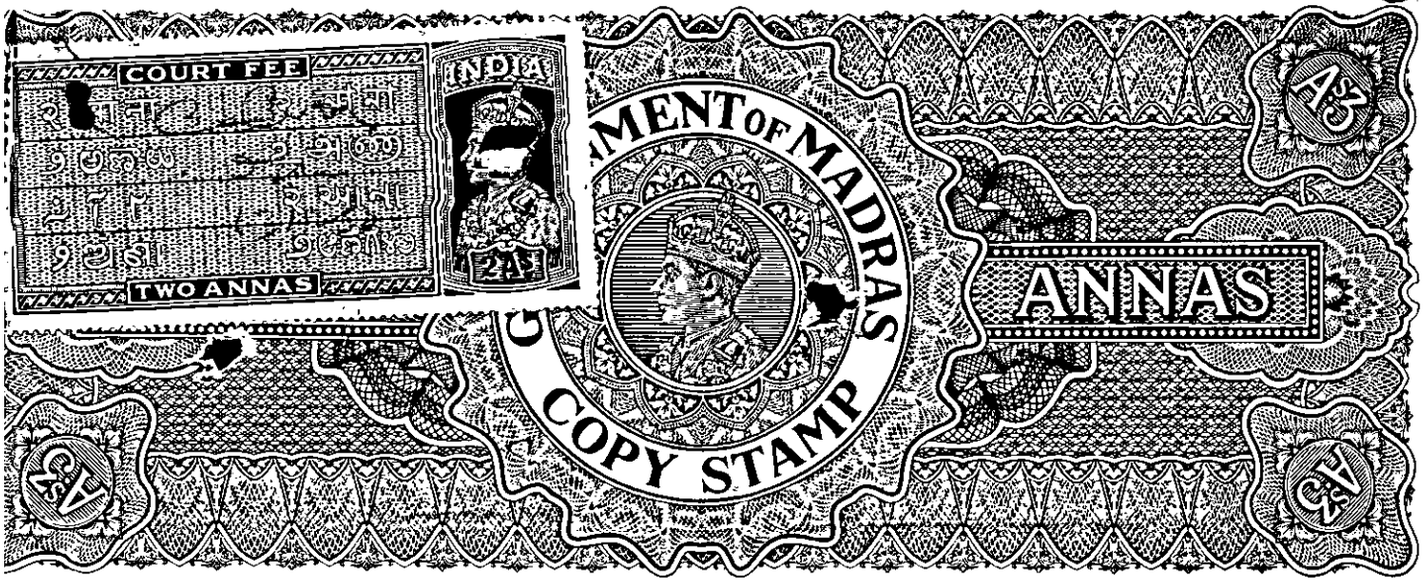

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ఎవరి తరపు.

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సంతకం		

BEFORE THE SECRETARY TO GOVERNMENT, REVENUE DEPARTMENT, MADRAS.

Memo: no: 89636/51-1 D. 17/1

Land. Grant to Political Sufferers (Bellary)
Hospet Taluk. Kamalapuram Vge S. no: 447 Pt
Objection and Request for 5 acres of land - Rejected
by Board Appeal apsk Boards orders
in. From Sri Appara Mariappa Pet. no D 13. 11. 51

A Copy of the Rejection of Board Appeal
above is forwarded to the Collector of Bellary
for an urgent report

9152 12-51.

Memo No 896 36F/51.2 dated 21.5.52

Land grant to Political Sufferers. (Bellary). Hospet taluk. Kamalapur village. S No 477 A/S. Assignment to Political Sufferers. Objection - Appeal against Dy's orders.

From Sri Nijappa Mariappa petition dated 13.11.51

From Rr Dy Rev Ryot No J. 426.52.1 dated 31.1.52

From
Sri P.K. Pushparaj, B.Sc., B.L.,
Deputy Director of Resettlement
and Employment and Ex-Officio
Secretary, Madras State Board for
Sailors' and Airmen's Board,
Madras. 6.

To
The Secretary to Government,
Revenue Department, Madras.
THROUGH
The Secretary to Government,
Development Department, Madras.

SECOND ASSISTANT SECRETARY TO GOVERNMENT
14 FEB 1952

No.Rc.5133/51-D dated 8-2-52.

16040

Sir,

Sub: Disposession of land held by ex-servicemen - Bellary Dist - U.Sivalingappa and C.Ramaiah of Hospet Taluk - appeals submitted.

Ref: This State Board's letter No.Rc.5133/51-D d/6-12-51 with 2 appeal petitions

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In continuation of the letter cited above, I submit the following appeals from ex-servicemen, received through the Secretary, I.S.S. & A.Board, Bellary:-

1) Sri U.Sivalingappa, son of Uppara Maniyappa (in continuation of the appeal under item 3 of the enclosures to this State Board's letter dated 6-12-51)

2) Sri G.Ramaiah (with 2 enclosures, i.e., certified copy of Adangal and Proceedings No.B.P.Rt.3207 d/12-5-51 of the Board of Revenue, Madras.

It appears that in case No.(1) above, the land has passed into the hands of the political sufferer and the case comes under item (ii) of para 4 of G.O.No.2692, Revenue, dated 7-10-50; in case No.(2) the Appellant's contention that the ex-servicemen should not be evicted even if they occupied the land after 1-5-48 is patently wrong in the face of para 1 of Government Memorandum No.40263-F/49-2 dated 15-7-49. However, the appeals are submitted to the Government

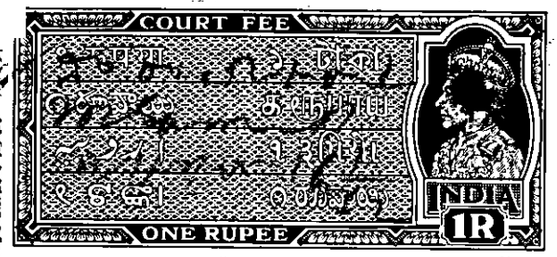
for such orders as might be deemed fit.

The orders passed on these appeals may kindly be communicated to this State Board.

Encl:4.
Copy to the Secretary, D.S.S.& A.Board, Bellary for information with reference to his No.1231/51-I d/24-11-51 and 1432/51-I d/17-12-51 (to the Recruiting Officer, Bangalore) and Sri V.L.Narayana Rao's letter dated 12-1-52, copy to the I.S.S. & A.Board.

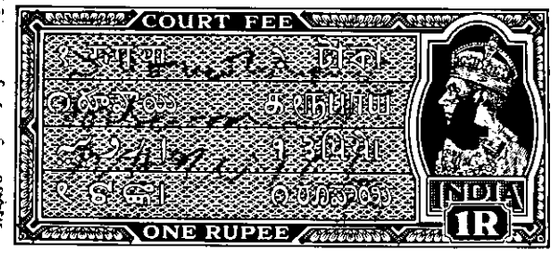
It is reported by the Board of Revenue in its L.Dis. J.184/52 d/18-1-52 that Sri T.Gurumurthy's appeal has already been rejected and the ex-serviceman informed of the fact through his Advocate.

12



BEFORE THE SECRETARY TO GOVEL

MADRAS.



U.Sivalingappa , Ex-serviceman,
No. 23924 R.I.N. son of U. Mari-
yappa of Hospet.

Ref:- B.P. Rt. 7230/51 dated 24-10-51 of the Board of Revenue, Madras.

2. Petition of U.Mariyappa father of the petitioner to Government dated 13-11-51

The humble petition of U.Sivalingappa , Ex-serviceman, No. 23924 R.I.N, Hospet , most respectfully sheweth:-

1. that his father U.Mariyappa had submitted a petition for favour of sympathetic consideration in respect of the land S.No. 477A/5 of Kamalapur village . His petition to the Hon'ble Board of Revenue Madras was rejected confirming the decision of the Collector of Bellary in assigning the land to a political sufferer.

2. that the Collector offered certain remarks on the petition which are not correct. He submitted a certified extract of the Register to show that he was actually cultivating an extent which is more than 0.80 ac.

3. that the political sufferer has spent considerable sum for reclai ing the land is not true. He has raised Horsegram in the land which t petitioner's father had reclaimed at considerable cost. It is a matt for regret that distorted representation is being made to the pre-judice of the petitioner

4. that the political sufferer to whom the landhas been assigned has applied for a loan on the ~~pr~~ the security of the land so that the petitioner might lose the hold upon it should the case be decided in his favour. He has ~~been~~ been acting with precipatate haste to obtain sanction of loan . If the loan is sanctioned , the petitioner would b deprived of the land for years to come, and the object of the petitio pending before the Government would be defeated. In theinetrests of justice it is necessary to stay all proceedings till the petition bef the Government is disposed of

5.-It-is-therefore-prayed-that-the-Government-will-be pleased to issue instructions for stay of consideration of all loan applications till the petition is disposed of by the Government.

Hospet.

D/12-1-52

1. Copy to the Secretary, P.S.S.A's Board, Cathedral post, Madras, with refrence to C.No. 1331/51-B dated 24-11-51 of the Secretary D.S.S.A's Board, Bellary , forwarding all petitions for consideration.
2. Copy to the Tahsildar of Hospet for information.
3. Copy to the Secretary, D.S.S.A's Board, Bellary for inf information.

Land :- Grant to P.S. (Bellary) Hospet Taluk. Kaanalapuram vge. S. no : 47/1A/ - Objection and Regnest for 5 acres of land :- Rejected by Board Appeal agst: Boards orders

From: Sri. Appara Maniappa. Pet.r Dt 13.11.

To AS

Please see the petition from Sri. Appara Maniappa on pp 3-4 C7, and the Copy of the covering letter from the Dy: Director of Resettlement and Employment on p 1 C4.

The petitioner has represented that his son Sri. Linganagappa has been in possession of an Extent of 5.80 acres in S. no 422D/5 of Kaanalapuram vge, Hospet Taluk, Bellary Dt, that in Fasli 1357 he cultivated an extent of ac 0-75 cts with paddy and 5.0 Sac with Jowar and that he did not undertake cultivation after that Fasli for fear of the land being given to a Political sufferer. He has contended that he is a poor landless person It will be seen from the petition that he is being evicted from the land which is under his occupation since 1948. His petition to the Board has been already rejected in BP Rh. Y230 Dt 24.10.57 a Copy of which is on p 5 C7. It is not known on what grounds the Board has rejected his regnest. A report may therefore be called for from the Board & Re Subject to orders, a draft memo is submitted for approval

Issued as Memo: no: 89636/57-1 Dt. 17/1/52
from the Bd: of Rev. J. 4261... Dt 31.1.52

10-1-5.

Please see the notes from Naute, the memo, on p 8 of, & the BDs report on p 9 of the Board here submitted is BP Rl. Y230 dy 24 10 57. in which the matter was disposed of and has stated that it has no further remarks to offer It is seen from the Collectrs report on p 13 of of (19) that the petitioner is the father of a landless poor Ex-Serviceman and that the amount spent by him for reclamation and other improvements must have been incurred by him It is also seen from the same report that the petitioner cultivated portions of the land in Fasli 1356 & 1357 and same up cultivation Fasli 1358 and occupied the land again in 1359 1360 As the occupation was given up Fasli 1358 it cannot be said that the petitioner was in continuous occupation from a date prior to 1.5.48 and therefore under the orders in force, the petitioner is not eligible for the assignment of the lands under this occupation: It may be mentioned in this connection that the petitioner has been assigned an Extent of Ac 0.80 in the same land. In the circumstances it is for orders whether the petitioner may be informed that the Govt see no reason to interfere on behalf of the petitioner

Land — Grant to P.S. (Bellary)

Haspet Tk. Kamalapur Vge. S.No. 477/5. Objection and request for assignment to the petitioner

from Sri N. Sivalingappa. Pet'r. Dis. /

To Ajj

Please see the letter from the Deputy Director of Resettlement and Employment Land the petition on pp 3-4 cf

2. The petitioner has represented that S.No. 477/5 of Kamalapur Vge. Haspet Tk. Bellary Dt has been under his occupation that he had spent a considerable sum on the reclamation of the land and that the Collector had assigned the same to a P.S. The petitioner appealed to the Board of Rev against the orders of the Collector, but his petition was rejected the petition in the cf is against the Board's orders. The petitioner has represented that the P.S. has applied for the grant of a loan on the security of the lands with a view to see that the petitioner's chances of getting the land back are diminished. He has therefore requested that further proceedings on the loan application may be stayed

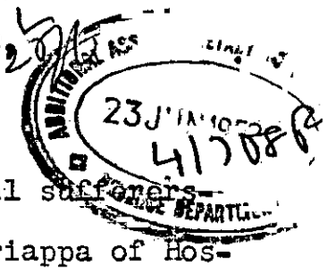
3. It is submitted that the res-

Paul - words have reached him by
his ... Jesus

Hon'ble Sri. C.Rajagopala Chariar,

Chief Minister to the Government of Madras,

Fort St. George, Madras.



Subject:- Assignment of lands- political sufferers- humble memorial of Uppara Mariappa of Hospet - prayer for redress.

Ref:- Memorandum No. 89636 F/51-2 dated 22-2-52 of the Government of Madras.

Honoured Sir,

The humble memorial of Uppara Mariappa, father of Uppara Sivalingappa, Exserviceman No. 23924 R.I.N., of Hospet most respectfully showeth:-

1. that the memorialist's son Sivalingappa, belonging to Royal Indian Navy, had been granted a land S.No. 477A/5 of Kamalapur village, Hospet taluk, measuring 5.80 ac in extent, which he had been cultivating since 1946 and paid the land revenue also regularly.

2. that the memorialist invested monies and brought the land, a waste land, bit by bit, under cultivation. In about an acre of land the memorialist had raised sugarcane and in the rest he had raised dry crops.

3. that to the misfortune of the memorialist during the last week of Marhh 1951 or in the beginning of April 1951, the Revenue Inspector of Kamalapuram took the memorialist's signature on a paper and said that he should not enter on the land as it had been assigned to a political sufferer. The Revenue Inspector sub-sivided the land with crop on it and said that he should not occupy it as the subdivided portion belonged to the Political sufferer. No orders had been placed in the hands of the memorialist and he did not know to whom it had been assigned. The memorialist was deprived of the land under sivoyjama cultivation.

4. that the memorialist could not submit his appeal as he had no copy of the orders of assignment to the political sufferer. He submitted to the Board of Revenue his inability and the Board was pleased to enetertain his appeal. But finally the appeal

His cry became a cry in the wilderness. The provisions of the G.O. regarding assignment of lands were ignored. The memorialist represented his case to the Secretary, D.S.S.A's Board, Bellary. He advised the memorialist to move the Government and in obedience to his advice he submitted his appeal to the Governemnt through the Secreatry , D.S.S.A's Board, Bellary and the Secretary, State Soldiers' Board, Madras. on 13-11-51. To his representation he attached a certified copy of the Adangal to show that he had cultivated the whole extent To his ill-luck, the Governemnt also refused his reques in the Memorandum No. 89636 F/51.2 dated 22-2-52

5. that the memorialist having lost all hopes of relief from any quarter ultimately felt that he should appeal to the mercy of the Chief Minister who he thoug would render him the necessary help to get back five acres from out of 5.80 ac The memorialist has been granted only 0.80 ac He is still entitled to get 4.20 ac from the survey number which had been in his possession

6. that the political sufferers should be granted lands which had been brought under cultivation by others at great cost is highly deplorable. The exservicemen had invested large amount for reclamation purposes. These lands were wrested from them and assigned to political sufferers They could have been granted waste lands and help could have been given to them for reclaiming them. But instead , lands under cultivation were selected by the political sufferers and mercilessly ~~they~~ the exservicemen were dispossessed and lands delivered to them. This is unjust. The memorialist has no lands of his own and he has been a landless poorman

7. that to his misfortune his son has not been keeping fit physically since his return from the R.I.N. and the memorialist has not been able to give him medical aid also to make him fit to eke out his livelihood and also maintain ~~me~~ memorialist his and ~~my~~ wife. ~~I~~ memorialist has now maintainigg the family with the meagre salary he has been getting as a clerk under a merchant.

8. that the memorialist felt that a change in the Government would bestow the much needed relief. The various pronouncements by the Hon'ble Chief Minister about the grant of lands to political sufferers came as a boon and the memorialist imagined that by ~~xxxxxx~~ appealing to his mercy some tangible result might folow . The memorialist had been subject to mental agony from the time he was dispossessed of his land ,. To add to this agony there has been the illness of his son. He was non-plussed. He did not know what to do. It flashed to his mind that he should memorialise the Chief Minister for consideration of his case and for grant of the much needed relief. The memorialist is not avaricious and he will be satisfied if he granted five acres to which he is entitled.

9. that the memorialist submits that he might be pardoned for taking the liberty of this kind because it ~~was~~ the last desparate attempt to the heart of the Hon'ble Chief Minister who is disposed to help the poor and the needy. He begs to be excused if he has transgressed his limits in submitting the memorial.

10. In the end , he humbly prays that his memoraial may be taken into merciful consideration and his prayer for assignment of five acres from the land S.No. 477A/5 may be granted. For this act of goodness the memorialist remains ever grateful.

Hospet.

D/18-6-52

ಅರ್ಜಿದಾರರ ಪರವಾಗಿ.

Memorialist.

Address:-

Uppara Mariappa,

New Road, Hospet.

Memo. No. 41708 F/52-1 D 19.2.52

Land. Grant to political sufferers - (Bellary Hospet Taluk. Kamalapuram village - S. No. 477 A) Assignment - Request.

From Sri Uppara Mariappa, petition dtd

The Govt. see no reason to reconsider the orders issued in Govt. Memo. No. 89636 F/51-2 D 22.2.52. The petition is rejected.

27.52

pet. 12/7 SV

Note

Please see the petition in the CF.

The petition in the CF is for a request for reconsideration of the orders in Memo. No. 89636 F/51-2 D 22.2.52. On a previous petition from the petitioner, the matter was examined in detail in consultation with ~~the Collector~~ the Bd of Rev. and as the occupation by the petitioner was not continuous from a date prior to 1.5.48 his request for the assignment of the whole extent of land was rejected - (pl. see the notes at pp 2 ante at (A)) No new facts have been adduced by the petitioner for the grant to reconsider the orders in Memo 89636 F/51-2 D 22.2.52. The petition may be rejected. Subject to orders a draft memo is submitted for approval. After issue the pp. may be stitched with (A)